

Chapter 29.45-12. Residential and Multiple Residential Districts.¹

Sections:

- 29.12.010. Purpose.
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- 29.12.030. Use Regulations.
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- 29.12.070. Front Yard Regulations.
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- 29.12.090. Side Yard Regulations.
- 29.12.100. Height Regulations.
- 29.12.110. Coverage Regulations.

29.45-12.010. Purpose.

1. Residential District R-1-40. To provide areas for large-lot residential neighborhoods of essentially rural or estate character.

Minimum Lot Size: 40,000 sq. ft.

2. Residential District R-1-20. To provide areas for very low density, single-family residential neighborhoods of essentially spacious and uncrowded character.

Minimum Lot Size: 20,000 sq. ft.

3. Residential District R-1-12. To provide areas for low density, single-family residential neighborhoods of spacious and uncrowded character.

Minimum Lot Size: 12,000 sq. ft.

4. Residential District R-1-10. To provide areas for medium low-density, single-family residential neighborhoods where medium costs of development may occur.

Minimum Lot Size: 10,000 sq. ft.

5. Residential District R-1-8. To provide areas for medium low-density, single-family residential neighborhoods where low and medium costs of development may occur.

Minimum Lot Size: 8,000 sq. ft.

6. Multiple Residential District R-M-7. To provide areas for medium residential density with the opportunity for varied housing styles and character.

Maximum Density: 7 dwelling units per acre.

7. Multiple Residential District R-M-15. To provide areas for medium residential density with the opportunity for varied housing styles and character.

Maximum Density: 15 dwelling units per acre.

8. Multiple Residential District R-M-30. To provide areas for high residential density with the opportunity for varied housing styles and character.

Maximum Density: 30 dwelling units per acre.

29.45-12.020. Codes and Symbols.

In following Sections of this Chapter, uses of land or buildings which are allowed in the various districts are shown as "permitted uses," indicated by a "P" in the appropriate column, or as "conditional uses," indicated by a "C" in the appropriate column. If a use is not allowed in a given district, it is either not named in the use list or it is indicated in the appropriate column by a dash, "-". If a regulation applies in a given district, it is indicated in the appropriate column by a numeral to show the linear or square feet required, or by the letter "A". If the regulation does not apply, it is indicated in the appropriate column by a dash, "-".

29.45-12.030. Use Regulations.

No building, structure or land shall be used and no building or structure shall be hereafter, structurally altered, enlarged or maintained in the residential and multiple-residential districts, except as provided in this Ordinance.

A. Exception to yard requirements for public service structures. In the absence of a specific approval from the Planning Commission to the contrary, public service structures shall be subject to yard area

¹ Title renumbered with Ordinance No. 07-13, dated 7/19/07

requirements and setbacks. The Planning Commission may allow public service structures to be located within the required yard areas specified in this Chapter upon the following findings:

1. The public service structure is needed for the efficient delivery of public services to the subject property,
2. Location of the public service structure in the required yard area will be beneficial to the subject property and will not result in undue public safety, aesthetic, or functional impacts on the subject property or surrounding properties,
3. The public service structure is integrated functionally and aesthetically into the overall design of the site, and
4. Location of the public service structure outside of the required yard area would be impossible or impractical due to functional considerations or because of site specific limitations.²

	R-1-40	R-1-20	R-1-12	R-1-10	R-1-8	R-M-7	R-M-15	R-M-30
1. Accessory buildings, with a combined area less than or equal to two times the area of the primary structure main floor and attached garage, which are customarily incidental to the permitted uses, but in no case shall all accessory buildings combined area be greater than 2,000 square feet.	P	P	P	P	P	P	P	P
2. Accessory buildings, with a combined area less than or equal to two times the area of the primary structure main floor and attached garage, which are customarily incidental to the conditional use, but in no case shall all accessory buildings combined area be greater than 2,000 square feet.	C	C	C	C	C	C	C	C
2a. Accessory buildings, individual or combined, that exceed the provisions of Paragraph 1 or 2 above, but due to lot size being significantly greater than the minimum required for the respective district are considered by the Planning Commission to be acceptable. ³	C	C	C	C	C	C	C	C
3. Adult Day Care Facility ⁴	C	C	C	C	C	C	C	C
4. Agriculture The tilling of the soil, the raising of crops, horticulture, and gardening	P	P	P	P	P	P	P	P
5. Assisted Living Facility ¹	C	C	C	C	C	C	C	C
6. Bed and Breakfast Subject to the conditions outlined in 29.03.210 ⁵	C	C	C	C	C	C	C	C
7. Boarding House ¹	C	C	C	C	C	C	C	C
8. Child day care or nursery (nonresidential)	-	-	-	-	-	C	C	C

² Ordinance No. 00-13A, dated 5/4/00.

³ No. 1 and 2 amended, and 2a added with Ordinance No. 03-42 dated 10/30/03.

⁴ Ordinance No. 01-16, 2/15/01

⁵ Ordinance No. 00-11, 4/16/00

	R-1-40	R-1-20	R-1-12	R-1-10	R-1-8	R-M-7	R-M-15	R-M-30
9. Cluster subdivision of single-family dwellings, provided that the residential density is not increased to allow more than one (1) dwelling for each:								
30,000 sq. ft.	C	-	-	-	-	-	-	-
15,000 sq. ft.	-	C	-	-	-	-	-	-
8,000 sq. ft.	-	-	C	-	-	-	-	-
7,000 sq. ft.	-	-	-	C	-	-	-	-
6,000 sq. ft.	-	-	-	-	C	-	-	-
4,000 sq. ft.	-	-	-	-	-	C	C	C
and that the total area of the subdivision cluster be not less than five (5) acres, and that at least one-third (1/3) of the total area of the subdivision be reserved or dedicated as permanent open space for common use of the residents, under planned unit development approval	A	A	A	A	A	A	A	A
9a. Crisis Nursery ⁶	C	C	C	C	C	C	C	C
10. Dwellings:	C	C	C	C	C	C	C	C
a. Single-family dwelling	P	P	P	P	P	P	P	P
b. Two-family dwelling	-	-	-	-	-	P	P	P
c. Three-family dwelling	-	-	-	-	-	C	C	P
d. Four-family dwelling	-	-	-	-	-	C	C	P
e. Multiple-family dwelling	-	-	-	-	-	C	C	C
f. Groups of dwellings under one ownership on a single lot ⁷	-	-	-	-	-	C	C	C
g. Planned unit development	C	C	C	C	C	C	C	C
11. Educational Institution	C	C	C	C	C	C	C	C
12. Educational Institution with housing	C	C	C	C	C	C	C	C
13. Fraternity or Sorority House	C	C	C	C	C	C	C	C
14. Home Occupation	C	C	C	C	C	C	C	C
15. Homeless Shelter ⁸	C	C	C	C	C	C	C	C
16. Hospital; medical or dental clinic accessory to a hospital and located on the same premises	-	-	-	-	-	C	C	C
17. Household pets	P	P	P	P	P	P	P	P
18. Licensed Family Group Child Care Provider/Residential Certificate Child Care Provider ⁹	C	C	C	C	C	C	C	C
19. Mobile home developments								
a. Mobile home parks	-	-	-	-	-	C	C	C
b. Mobile home subdivisions	-	-	-	-	-	C	C	C

⁶ Ordinance No. 03-06, 2/20/03

⁷ Ordinance No. 97-11, 3/20/97

⁸ Ordinance No. 01-16, 2/15/01

⁹ Ordinance No. 02-27A, 29/19/02

	R-1-40	R-1-20	R-1-12	R-1-10	R-1-8	R-M-7	R-M-15	R-M-30
20. Model Home/Temporary Sales Office ¹⁰	C	C	C	C	C	C	C	C
21. Nursing Home	C	C	C	C	C	C	C	C
22. Private education institution having a curriculum similar to that ordinarily given in public schools	C	C	C	C	C	C	C	C
23. Private recreational grounds and facilities, not open to the general public, and to which no admission charge is made . .	C	C	C	C	C	C	C	C
24. Protective Housing Facility	C	C	C	C	C	C	C	C
25. Public and quasi-public buildings and uses:								
a. Cemetery ¹¹	C	C	C	C	C	C	C	C
b. Church	C	C	C	C	C	C	C	C
c. Essential service facilities	C	C	C	C	C	C	C	C
d. Golf courses	C	C	C	C	C	C	C	C
e. Substations or transmission lines of fifty (50) KV or greater capacity	C	C	C	C	C	C	C	C
f. Social Services Building	-	-	-	-	-	C	C	C
g. Public parks	P	P	P	P	P	P	P	P
26. Quarries, gravel pits, land excavations	C	C	C	C	C	C	C	C
27. Recreational or ornamental structures such as gazebos, swimming pools, bath houses, tennis courts, etc., accessory to, on a lot adjacent to, and sharing a lot line with a lot occupied by a primary use when both lots are under the same ownership. ¹²	P	P	P	P	P	P	P	P
28. Residential facility for handicapped persons meeting requirements of	C	C	C	C	C	P	P	P
29. Residential Care Facility	-	-	-	-	-	C	C	C
30. Residential Facility for Elderly Persons	P	P	P	P	P	P	P	P
31. Residential Facility for Persons with a Disability	P	P	P	P	P	P	P	P
32. Sheltered Workshop	C	C	C	C	C	C	C	C
33. Signs. The type, size, height, location and other standards and requirements for signs shall be in accordance with regulations set forth in Chapter 20.								
34. Sheltered Workshop	C	C	C	C	C	C	C	C
35. Trade or Vocational School ¹³	C	C	C	C	C	C	C	C
36. Transitional Housing Facility	C	C	C	C	C	C	C	C

¹⁰ Ordinance No. 05-17, 7/7/05

¹¹ Uses in R-1-8, R-M-7, R-M-15 and R-M-30 changed to conditional use with Ordinance No. 03-25 dated 6/12/03.

¹² Ordinance 01-31, dated 8/16/01.

¹³ Ordinance No. 01-16, 2/15/01

	R-1-40	R-1-20	R-1-12	R-1-10	R-1-8	R-M-7	R-M-15	R-M-30
29.45-12.040. Area Regulations.								
The minimum lot area in square feet for any single-family dwelling structure in the districts regulated by this chapter shall be	40,000	20,000	12,000	10,000	8,000	7,000	8,000	8,000
The additional lot area for each dwelling unit in a dwelling structure shall be:	-	-	-	-	-	6,000	2,500	1,200
For group dwellings, each separate dwelling structure after the first dwelling structure and each additional dwelling unit in square feet shall have:	-	-	-	-	-	5,000	2,500	1,200
Minimum lot area for all main uses or buildings other than dwellings shall be:	40,000	20,000	12,000	10,000	10,000	10,000	10,000	10,000
29.45-12.050 Width Regulations.								
The minimum width in feet for any lot in the districts regulated by this chapter, except as modified by planned unit developments or cluster subdivisions, shall be:	120	100	80	80	70	70	70	70

Notwithstanding the foregoing regulations, for that area lying within the following street boundaries or their extensions, 700 North Street, 700 South Street, 600 East Street 600 West Street, which comprises most of the original platted areas of Brigham City, as of November 1, 1986, any parcel existing under common ownership containing an area of one acre or less, may be divided or developed so as to create a lot with a minimum of 60 feet width, provided all other requirements of the Zoning Ordinance are satisfied.

	R-1-40	R-1-20	R-1-12	R-1-10	R-1-8	R-M-7	R-M-15	R-M-30
29.45-12.060. Frontage Regulations.								
The minimum frontage in feet for any lot in the districts regulated by this chapter on a public street or a private street approved by the governing body shall be:	60	50	45	45	40	45	45	45
29.45-12.070. Front Yard Regulations.								
The minimum depth in feet for the front yard for main buildings in districts regulated by this chapter shall be ..	30	30	30	30	25	25	25	25
or the average of the existing buildings on the block where fifty (50) per cent or more of the frontage is developed; however, in no case shall it be less than: ...	25	25	25	25	20	20	20	20
or be required to be more than:	30	30	30	30	30	25	25	25
provided, however, that on corner lots the minimum depth in feet for the front yard for main buildings in districts regulated by this chapter shall be	20	20	20	20	20	20	20	20
Accessory buildings may have the same minimum front yard depth as main buildings if they have the same side yard required for main buildings, otherwise they shall be set back at least six (6) feet in the rear of the main building	A	A	A	A	A	A	A	A

	R-1-40	R-1-20	R-1-12	R-1-10	R-1-8	R-M-7	R-M-15	R-M-30
29.45-12.080. Rear Yard Regulations.								
The minimum depth in feet for the rear yard in the districts regulated by this chapter shall be:								
for main buildings:	30	30	30	30	25	30	20	20
for accessory buildings:	1	1	1	1	1	1	1	1
provided however, that on corner lots the minimum depth in feet for the rear yard for the residential buildings in the districts regulated by this chapter shall be:	15	10	10	8	6	6	6	6
provided that on corner lots which rear on a side yard of another lot accessory buildings in all such districts shall be located not closer than six (6) feet to such side yard .	A	A	A	A	A	A	A	A
provided that on corner lots which rear on a front yard of another lot accessory buildings in all such districts shall be located not closer than six (6) feet to such side yard. ¹⁴	A	A	A	A	A	A	A	A
29.45-12.090. Side Yard Regulations.								
The minimum side yard in feet for any dwelling in districts regulated by this chapter shall be:	15	10	10	8	6	6	6	6
And the total width of the two (2) required side yards:	30	24	22	18	16	18	18	18
Other main buildings shall have a minimum side yard of:	20	20	20	15	15	20	20	20
And a total width of the two (2) required side yards of not less than:	40	40	40	30	30	40	40	40
The minimum side yard for a private garage shall be: .	15	10	10	8	6	6	6	6
except that private garages and other accessory buildings located sixty (60) feet from the front property line ¹⁵ may have a minimum side yard of:	1	1	1	1	1	1	1	1
provided that no private garage or other accessory buildings shall be located closer than:	15	10	10	10	10	10	10	10
to a dwelling on an adjacent lot.								
On corner lots, the side yard in feet which faces on a street for both main and accessory buildings shall not be less than:	20	20	20	20	20	20	20	20
or the average of existing buildings, but in no case shall the side yard be less than:	15	15	15	15	15	15	15	15
nor be required to be more than:	25	25	25	25	25	25	25	25
29.45-12.100. Height Regulations.								
The maximum height for all buildings and structures in districts regulated by this chapter shall be								
in feet:	35	35	35	35	35	35	55	75
in number of stories	2	2	2	2	2	2	2	2
29.45-12.110. Coverage Regulations.								
The maximum coverage in per cent for any lot in the districts regulated by this chapter shall be:	20	20	30	35	35	40 ¹⁶	50	50

¹⁴ Ordinance No. 05-02, 2/3/05

¹⁵ Ordinance No. 98-42, 9/17/98

¹⁶ Ordinance No. 99-34, 1/16/99

